

Exhibit No. 8Date 4-2-11Bill No. HB 604**Opponent to HB 604**

Diverting \$1.85M from Montana Telecommunications Access Program (MTAP) Special  
Revenue Funds to the General Fund for Other Purposes.

Mr. Chair and Committee,

My name is Linda Kirkland. I am here today as the Chairperson for the Governor's Committee for Telecommunications Access Services for Persons with Disabilities and representing this Committee as a whole. This Committee unanimously supports the Governor's budget and the Executive Planning Process as originally defined in HB 2 and adamantly **opposes** this HB 604.

I have been a member of this Committee since 2005, and during this time MTAP has been very fiscally conservative regarding program expenditures in order to save money for the upcoming impact to their program when the Federal Communications Commission (FCC) mandates that the States take on the expenditures of the Video Relay Services (VRS) and Internet Protocol Relay (IP) offered to Montana citizens.

The VRS rate is considerably higher than what MTAP pays for traditional relay and Caption relay services today and these costs would be additional expenditures. Currently the rate for VRS is \$6.67 per minute and IP is \$1.29, while traditional relay services cost \$1.75 per minute and Captioned relay costs \$1.78 per minute.

If HB604 passes diverting any of MTAP's funds as indicated, and when the FCC mandates the VRS and IP be the responsibility of the States, MTAP's budget will become structurally unbalanced in a shorter timeframe. The \$.10 fee that has been in place since 1989 will not be sustainable therefore MTAP and the Governor's Committee will have no other alternative than to go through the legislative process to request an increase of the \$.10 fee to meet the funding burden of VRS and IP.

Also another reason why this Committee opposes this bill is the sponsor has been stating this bill is a one-time diversion of MTAP's fund balance, yet the proposed language changes to statute does not support what has been stated to date. We respectfully request the Senate amend the current bill's proposed statute language to **specifically** state this is a **one-time diversion** of MTAPs fund balance.

Montanans have an implicit understanding that the \$.10 fee they see and pay on their telephone bills is for MTAP. The average Montanan does not have any knowledge or approval of the MTAP fee being diverted for other governmental purposes, no matter how "justified" such other purposes may be.

MTAP has been proactive in preparing for the matter of the FCC mandating the expenditures for the VRS and IP Services to the State by being fiscally responsible. Please vote "NO" on HB604 regarding MTAP's funds.

Thank you for your time and consideration of our position.